

BILL ANALYSIS

Senate Research Center

H.B. 283
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 283 amends current law relating to the requirement that certain governmental bodies make audio and video recordings of open meetings available on the Internet.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 551.128, Government Code, by amending Subsections (b) and (c) and adding Subsections (b-1), (b-2), (b-3), (b-4), (b-5), and (b-6), as follows:

(b) Authorizes a governmental body, except as provided by Subsection (b-1) and subject to the requirements of this section, to broadcast an open meeting over the Internet.

(b-1) Requires a transit authority or department subject to Chapter 451 (Metropolitan Rapid Transit Authorities), 452 (Regional Transportation Authorities), 453 (Municipal Transit Departments), or 460 (Coordinated County Transportation Authorities), Transportation Code, an elected school district board of trustees for a school district that has a student enrollment of 10,000 or more, an elected governing body of a home-rule municipality that has a population of 50,000 or more, or a county commissioners court for a county that has a population of 125,000 or more to:

(1) make a video and audio recording of reasonable quality of each regularly scheduled open meeting that is not a work session or a special called meeting; and

(2) make available an archived copy of the video and audio recording of each meeting described by Subdivision (1) on the Internet.

(b-2) Authorizes a governmental body described by Subsection (b-1) to make available the archived recording of a meeting required by Subsection (b-1) on an existing Internet site, including a publicly accessible video-sharing or social networking site. Provides that the governmental body is not required to establish a separate Internet site and provide access to archived recordings of meetings from that site.

(b-3) Requires a governmental body described by Subsection (b-1) that maintains an Internet site to make available on that site, in a conspicuous manner:

(1) the archived recording of each meeting to which Subsection (b-1) applies; or

(2) an accessible link to the archived recording of each such meeting.

(b-4) Requires a governmental body described by Subsection (b-1) to:

(1) make the archived recording of each meeting to which Subsection (b-1) applies available on the Internet not later than seven days after the date the recording was made; and

(2) maintain the archived recording on the Internet for not less than two years after the date the recording was first made available.

(b-5) Provides that a governmental body described by Subsection (b-1) is exempt from the requirements of Subsections (b-2) and (b-4) if the governmental body's failure to make the required recording of a meeting available is the result of a catastrophe, as defined by Section 551.0411, or a technical breakdown. Requires a governmental body, following a catastrophe or breakdown, to make all reasonable efforts to make the required recording available in a timely manner.

(b-6) Authorizes a governmental body described by Subsection (b-1) to broadcast a regularly scheduled open meeting of the body on television.

(c) Requires a governmental body that broadcasts a meeting over the Internet, except as provided by Subsection (b-2), to establish an Internet site and provide access to the broadcast from that site.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: January 1, 2016.